

LEGISLATIVE BILL 1448

Approved by the Governor March 30, 2000

Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson;
Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27

AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize certain write-offs as prescribed; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. There are hereby appropriated the following sums of money, or so much thereof as may be required, from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of claims arising out of miscellaneous items of indebtedness owing by the State of Nebraska.

1999-2000 MISCELLANEOUS CLAIMS

DESCRIPTION	DOLLARS
Claim No. 99-345, against the Department of Revenue, pay to <u>Federal Express Corp.</u> , P.O. Box 727, Memphis, TN 38194, out of the General Fund.	40,870.00
Claim No. 99-359, against the Department of Correctional Services, pay to <u>Thomas McAllister</u> , % Murry Shaeffer, P.O. Box 832, Cheyenne, WY 82003, out of the General Fund.	15,327.58
Claim No. 99-377, against the Department of Administrative Services, pay to <u>Datamaxx Applied Technologies</u> , % Curt Owens, 3780-A Peddie Dr., Tallahassee, FL 32303, out of the Communications Cash Fund.	23,200.00
Claim No. 99-389, against the Department of Motor Vehicles, pay to <u>Keith County Attorney</u> , P.O. Box 29, Ogallala, NE 69153, out of the General Fund.	500.00
Claim No. 99-405, against the Department of Health and Human Services, pay to <u>Presbyterian Medical Center</u> , % Parr Recovery, P.O. Box 238, Allston, MA 02134, out of the General Fund.	24,411.61
Claim No. 99-446, against the Attorney General's Office, pay to <u>Donald Tedesco</u> , P.O. Box 131, Sidney, NE 69162, out of the General Fund.	535.00
Claim No. 99-482, against the Department of Revenue, pay to <u>M.G. Waldbaum</u> , 5353 Wayzata Blvd. #500, Minneapolis, MN 55416, out of the General Fund.	96,420.41
Claim No. 99-611, against the Department of Health and Human Services, pay to <u>Walgreens</u> , % CityVest, 306 Reunion Center, Tulsa, OK 74103, out of the General Fund.	54,004.62
Claim No. 99-620, against the Department of Health and Human Services, pay to <u>University Medical Center Outpatient</u> , P.O. Box 985070, Omaha, NE 68198, out of the General Fund.	34,317.55
Claim No. 00-211, against the Attorney General's Office, pay to <u>Kent Turnbull</u> , 301 N. Jeffers, Suite 101A, North Platte, NE 69101, out of the General Fund.	4,250.00
Claim No. 00-337, against the Attorney General's Office, pay to <u>Jeff Meyer</u> , 301 N. Jeffers, Suite 101A, North Platte, NE 69101, out of the General Fund	500.00

The claims included in this section shall be paid through program 536 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

GENERAL FUND	271,136.77
CASH FUNDS	23,200.00
TOTAL	294,336.77

Sec. 2. The following sums of money, or so much thereof as may be required, are hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of tort claims which have been settled by the Attorney General in the district

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court or in which court judgments have been entered and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
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Tort Claim No. 94-295, against the Department of Roads, pay to <u>Luebs, Leininger, Smith, Busick, Johnson, Baack, Placzek & Steele</u> , P.O. Box 790, Grand Island, NE 68802-0709, out of the Roads Operations Cash Fund.	3,558.10
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Tort Claim No. 94-295, against the Department of Roads, pay to <u>Nora Zepeda and Diego Gavilanes, Attorney</u> , 3325 Wetmore Ave., Everett, WA 98201, out of the Roads Operations Cash Fund.	106,441.90
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Tort Claim No. 94-295, against the Department of Roads, pay to <u>Department of Health and Human Services</u> , P.O. Box 95044, Lincoln, NE 68509-5044, out of the Roads Operations Cash Fund.	12,324.42
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Tort Claim No. 94-347, against the Department of Roads, pay to <u>Rex Woollen and Siegfried Brauer, Attorney</u> , 2002 Central Ave., Kearney, NE 68848, out of the Roads Operations Cash Fund.	567,816.05
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The claims included in this section shall be paid through Program 591 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

CASH FUNDS	690,140.47
TOTAL	690,140.47

Sec. 3. The following sums of money, or so much thereof as may be required, are hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of indemnification claims which have been settled by the Attorney General in the district court or in which court judgments have been entered and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
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Indemnification Claim No. 354(96), against the Department of Health and Human Services, for attorney's fees associated with above-referenced case, pay to <u>Bruce Mason, Attorney</u> , 1505 South 108th Street, Omaha, NE 68144, out of the General Fund.	221,839.34
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Indemnification Claim No. 354(96), against the Department of Health and Human Services, for attorney's fees associated with above-referenced case, pay to <u>Nebraska Advocacy Services</u> , 215 Centennial Mall South, Lincoln, NE 68508, out of the General Fund	159,221.73
out of the Department of Health and Human Services Cash Fund.	49,766.73

The claims included in this section shall be paid through Program 592 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

GENERAL FUND	381,061.07
CASH FUNDS	49,766.73
TOTAL	430,827.80

Sec. 4. The following sums of money, or so much thereof as may be required, are hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of workers' compensation lump-sum settlements which have been approved by the Nebraska Workers' Compensation Court and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
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Workers' Compensation Lump-Sum Settlement approved by the Nebraska Workers' Compensation Court, pay to <u>Beverly Bartholow and Robert Henley Woody, Attorney</u> , P.O. Box 34880, Omaha NE 68134, out of the Workers' Compensation Claims Revolving Fund.	230,976.00
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The claim in this section shall be paid through Program 593 in Agency 65.

For informational purposes only, the appropriation contained in this section and fund source:

REVOLVING FUNDS	230,976.00
TOTAL	230,976.00

Sec. 5. The Director of Administrative Services is hereby authorized and directed to draw his or her warrants on or before June 30,

2001, upon the funds in the state treasury enumerated in this act, in favor of the several beneficiaries named in this act for the amount set opposite their respective names upon the presentation of proper vouchers therefor. The several amounts appropriated in this act shall be in full payment of any and all claims, rights, causes of action, damages, and demands of every character and kind owing by or against the State of Nebraska, its officers, agents, and employees, and their successors and assigns with respect to each of the beneficiaries respectively in whose favor the appropriations are made. The director shall not deliver any warrant for any items appropriated in this act until a receipt and release in full, releasing the State of Nebraska, its officers, employees, and agents, and their successors and assigns, has been filed by each of the beneficiaries respectively. Upon presentation of the warrants, the State Treasurer is hereby directed to pay the same out of money in the General Fund or out of money in other funds indicated in this act not otherwise appropriated.

Sec. 6. The following requests were filed by state agencies seeking permission to write off certain accounts. The State Claims Board reviewed and approved the following requests:

DESCRIPTION	DOLLARS
Request No. 99-697, made by the Clerk of the Legislature	19.89
Request No. 00-104, made by the Department of Health and Human Services Finance and Support	487,023.89
Request No. 00-140, made by the Department of Revenue, Lottery Division	6,113.00
Request No. 00-152, made by the Supreme Court	197.44
Request No. 00-274, made by the Department of Health and Human Services, Western Nebraska Veterans' Home	13,551.78
Request No. 00-285, made by the Department of Administrative Services	1,147.27
Request No. 00-288, made by the Department of Health and Human Services, Grand Island Veterans' Home	85,416.39
Request No. 00-289, made by the Department of Health and Human Services, Thomas Fitzgerald Veterans' Home	15,445.04
Request No. 00-290, made by the Department of Health and Human Services, Norfolk Veterans' Home, Members Trust Account	5.89
Request No. 00-291, made by the Department of Health and Human Services, Norfolk Veterans' Home, Members Trust Account	.20
Request No. 00-292, made by the Department of Health and Human Services, Norfolk Veterans' Home	6,812.29

Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.